IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 12432 of 2006
Date of decision 27 .10.2006

Mahesh Kumar .. petitioner

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. RD Yadav, Advocate for the petitioner

M.M.Kumar, J.

The prayer made by the petitioner, who is son of deceased Narain Singh, an employee of the respondent State is that he may be given compassionate appointment under the ex-gratia scheme and the order dated 7.8.2004 (Annexure P.5) declining his prayer be quashed. It is admitted position that father of the deceased Narain Singh died on 31.3.1988 while in service. He was working as a Science Master at Govt. Middle School Mamria Ahir, Tehsil and District Rewari. It is further admitted that the widow i.e mother of the petitioner is in government service. The claim of the petitioner has been rejected by the impugned order on the afore-mentioned ground . There are various impediments in the grant of relief to the petitioner. Firstly there is a huge delay and the family has been able to survive for such a long time which itself can be said to be a sufficient ground to decline the relief claimed as has been held by the Hon'ble Supreme Court in the case of National Hydro Electric Power Corporation v. Nanak Chand (2004)12 SCC 487. It is further appropriate to mention that the family cannot be said to be living in penury as the mother of the petitioner is already in the public employment. The object of giving compassionate appointment is not to open another source of recruitment but

to overcome the sudden financial crisis created by the death of bread earner of the family. This view has been repeatedly expressed by the Hon'ble Supreme court in the cases of State of Manipur v. Mohd. Rajadin (2003) 7 SCC 511; Commissioner of Public Instructions v. K.R.Vishwanath (2005) 7 SCC 206 and Hindustan Aeroneutical Ltd. v. A.Radhika Jhirumalai (1996) 3 SCC 394.

In view of the above, we dismiss the writ petition in limine.

(M.M.Kumar)
Judge

(M.M.S.Bedi)
Judge

27.10.2006
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